G.R.S. IX—5]

Previous references.
Judl 120-23-(1-2)
" 329-22-(1-5)

(1923 . Judicial)

File No. 120-23
Serial Nos. 3-6

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 4

Part B for April 1924

SUBJECT

Review petition of Channamallappa of Gubbi praying, on a reconsideration of the G.O dated 8.6.23, he may be appointed as the sole Archak of Sri Mallesvara Swami temple at Gubbi

OR 1556 dated 29.4.1924

To the Mag. Comr.

Govt. see no reason grounds to modify the order already passed rejecting the appeal The petition is accordingly dismissed

G. R. S. 11] 1923

GENERAL AND REVENUE SECRETARIAT.

(Inwards

NOTES.

File No. 120/1923

FILE HEADING.

Archakship of Sri Malleswara Swami temple at Lynbbi

From

Channappa Son of Channa Mallappa

No.	Dated	Received
Diary No. 697	Enclos.	Spare Copies	Serial No. 3

BRIEF ABSTRACT OF LETTER.

Prays that after hearing him and examining the documents in his possession and also on a re-consideration of orders rendered in endt No. 2961 dt 8-6-23, she may be appointed to the sole

NOTES AND ORDERS.

Archaka of the temple.

The Review petition is duly stamped

2 Inwards Nos. 329-22 and 120-23 on the subject are submitted

NOTES—First Sheet.

G. R. S. III-2.

General and Revenue Secretariat. | MUS File No. 120 of 1923

Serial No.	
7)	Recall for the records & note on the case on their receipt 2 22/1 — Lib/4
8)	Dft. Submits. AG 2-1-1924 3/1/24 Done
9)	3/1
4	To the Mukhtar Commr. No. 940 dt 12-1-24 forwards the above review applr and requests that the enclosures sent to him in June 1923 may be returned per respective early.
5.	From, the Mukhtar Commr, Lahore no 473 dt 8. 2. 1924. Submits the records connected with the case.
10)	From a perusal of paras 4 and 6 of the review petition, it is seen that the Mohalla Shiv in dispute has been taken to Civil Courts and adjudicated upon. With

NOTE—Contn. sheet.

G. R. S. III-2)

General and Revenue Secretariat. | File No. 120 of 1923

Serial No.

The civil Suit in regard to para 4, a decree copy has been produced; but this does not give the facts of the case. It seems necessary to get through the Judgments in both the Suits before the case is noted upon. May the Insp. Comr be requested to obtain copies of Judgments and send them up for perusal?

Sub-Collr for orders

26/2/24 26.2.24

10) Please hand up

27.2.24.

11) Mr. Secretary's order. Submit with a note.

29/2/24

NOTE—Contn. sheet.

F. R. S. III-21

General and Revenue Secretariat. | File No. 120 of 19 23

Serial No.

12) The undermentioned genealogical tree explains the relationship of the several claimants to the Puja office under dispute

Channappa brother Mallappa.

Channa mallappa (one year Sarodi).

Channappa (adopted Son) Applt-petr.

Kadappa (both one year Sarodi) (died issueless).

Gunu mallappa & wife Siddamma

(Son) Channa mallappa (adopted to Dodda-basappa of Punnur).

(daughter) Kudramma d (Sambial)

Son Mallala (boy of 10 yrs).

13) The claimants to the Puja Hak were channappa and mallappa (brothers) - On the death of channappa, his son channa-mallappa succeeded him, and on the death of mallappa, his sons Kadappa and Gunu-mallappa succeeded him

NOTE—Contn. sheet.

Serial No.

Channamallappa was doing the Puja for one year, while the other two brothers Kadappa and Gurumallappa were attending to it for one year another by rotation, and the inam lands also were being enjoyed in equal shares.- Channamallappa is dead and is succeeded by his adopted Son channappa-per by Gr.t., while Kadappa died issueless, and Gurumallappa who is also dead, leaves behind him his widow- Siddamma, and a Son - channamallapper Since away in adoption to Doddabasappa of Inamkurs, and a daughter Rudramma and her husband Sambrah (Since dead) and a boy of 10 years by name Mallah-

14) In the matter of the dispute between channappa and Siddamma as to who should succeed to the Pujari Ship, both the Taluka Amildar and the Sub Divl

G. R. S. III-2]

General and Revenue Secretariat. | File No. 120 of 19 23

Serial No.

have found on a perusal of the Record and Civil Court judgments that Channappa-per. before Govt - is the nearest heir to the office and have ordered that he should be the sole Pujari. On appeal, the Dy. Comr. has ordered that Channappa and Siddamma (through her son-in-law Sambaiah and Dasthi) should attend to the work in rotation. Against the foregoing orders Channappa appealed to Govt which was rejected in order no. 2961 Dy 8-6-1923. and also his review petition Channappa has put in a review application praying that he may be appointed as the sole Pujari He Complains that the post in question is joint ancestral property that on the strength of certain Civil Court judgments and other documents in his possession he has a right to be appointed as the sole Pujari and prays that orders may be passed

(To A. F. B).

NOTE—Contn. sheet.

Serial No.

after hearing him and perusing the documents in his possession. From the papers put up, it is seen that the appeal has not been heard by Govt. If directed, the case will be posted, notice being issued to the contending parties.

Submitted for orders.

16/3/1924

15) The case came up before Govt. in appeal against the Dy Comrs order and the appellant was informed in this office endt. No. 2961/Mis 329-22-4 dt 8-6-23 that the Dy Comrs order was correct and that Govt saw no reason to alter it. His review application was also rejected in this office endt. No. 575/Mis 120-23-2 dt 30-10-23.

16) The appellant contends among other things that his case was not heard by Govt and that he has documents in his favour which proves his case & prays that he maybe given a

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. 120 of 1923

Serial No

a hearing and the documents with him perused.

May the case be posted for hearing some day in the middle of April 1924?

84
4.3.24 17) Prima facie the petitioner has no case. But he says he will produce Civil Court documents in which he is entitled to hearing which are in his favour May the case be posted as above suggested?

11 8.3 24.

178 / 8.3.24 2nd member)

18) I am sorry for the dissatisfaction & hearing here. Sri as I pointed he was seen with along complaints but his case was disposed by the D C as well as first instance giving him a hearing

19) The case may be posted on the 14th April

20) Dft. notices Delhi

11/3/24 11/3/24 21) 11/3/24.

NOTE—Contn. sheet

Vide 14.4.24 as another case has been posted to that date

G. R. S. III-2]

General and Revenue Secretariat.

File No. 120 of 1923

Serial No.

22) Case called. Petr present both Advocate Mr D N Nanavacha for petr others

23) Mr Jal Dastur on record in support of the petn

24) Dr is stated the petr has filed appn for adjournment Gurunathappa dead in the Jail on the 3rd inst and the Jail Superintendent has stated that the petitioner is not in the Jail and Gurunathappa has been released on bail by the Sessions Court and that the petitioner took away the dead body.

25) The petn contention that in the Jail Register the date of release is entered as the 4th inst instead of the 3rd inst. The Jail Superintendent is expected to be present on the 3rd of 3/4/24 in the Court

26) In the result, I see no grounds whatever to grant the adjournment and the petn is dismissed

Sd/- 14/4/24

27) Order accordingly.

Sd/- 19/5/24 BG 9-4-24

Heard this day

28) Mr. Jal Dastur for petr

29) We are

NOTE—Contn. sheet.

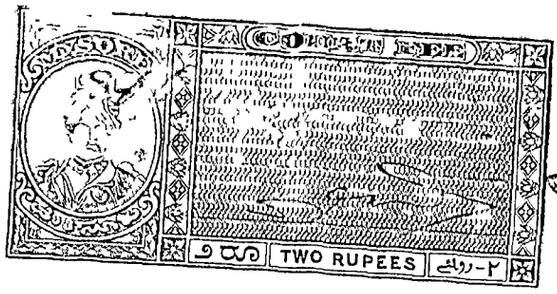
G. R. S. III. 2]

Muzrai Secretariat | Muz. File No. 120 of 1923.

Serial No.	
1	To the Muzrai Commr. No. 1556 dt. 29.4.24. — 7do copy of Govt decision in Muzr. Appeal No. 6 of 1923-24 on the pension application of Thammiya stating that Govt see no grounds to modify the order already passed rejecting the appeal, and dismissing the appeal.

NOTE—Contn. sheet

WD 0561—GPB—3750—1 6 22



Petition Box

No. 697

Before The Councillor to the Government of

Mysore. Bangalore.

Suits Petition No of 23-24.

Channappa son of Channamallappa, residing in Javali-pet, Gubbi. Tumkur District. .... Petitioner.

The petitioner abovenamed most respectfully begs leave to submit the following to the kind consideration of the Chief Government:

1. That on the 1st September 1923, the petitioner has instituted an appeal against the order of the Deputy Commissioner, Tumkur District regarding the right of worship in the Temple of Sree Malleswara in the Gubbi Town. The authenticated copy of the said order has been appended with that Memorandum of Appeal.

2. The petitioner begs leave to submit that one Channamallappa was the first man who was conducting the Pooja in the said Temple and next to him - Yadiah and Gurumallappa continued to do the same. This temple had an inamthi land granted, but now salary has been fixed to the Archikas of the said Temple.

3. The petitioner is the adopted son of Channamallappa the original Archika of the Temple Yadiah has no issue. The last named Channallappa's wife had a son by name Channamallappa and he in

adopte to one Doddabasappa of Tumkur. She (Siddamma) has also a daughter Rudramma who is married to Sambiah, who has a boy of 10 years by name Malliah.

4. That while the matter of dispute went up before the Munsiff of Tumkur, the case has been decided in favour of this petitioner and the decree copy is herewith filed for reference. Further, the Amildar of Gubbi as well as the Sub Division Officer have issued orders to the petitioner to conduct the worship in the Temple recognising his right to the same, as it is an inherited one to him.

5. That the said Siddamma thereupon applied to the Deputy Commissioner to set aside the order of the Sub Division Officer referred to above and declare her right to the said poojarishipp of the Temple of Sri Mallaswaraswami, which was decided in her favour directing that Malliah should conduct the pooja in the said temple and on his behalf Sambiah also on 8th June 1923.

6. That the said Siddamma or any others have no manner of right to be the worshippers of the said temple as it is an inherited right of the - petitioner. Siddamma's son Channamallappa who is adopted to Doddabasappa filed a suit against his own mother and the petitioner in the Court of the Munsiff of Tumkur in the same matter colluding with one another, but the same was decided in the favour of the petitioner alone.

7. The said Sambiah is now dead. His son

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II

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Muz 4]

SUBJECT..... ....

....

....

Diary No. of letter replied to _____

Muzrai Secretariat

( )

, *the* 192 .

Section Muz.

File No. 120-23.

Serial No. 4.

No. 940
two

Date of issue 12-1-24.

Signed by [illegible]

To

The Muz. Comr

Sir,

Adverting to this office memo no. 2962-Muz 329-22 dy 8-6-1923 forwarding a copy of the endorsement of the said date rejecting the appeal petition of Channappa regarding the Archakship of

over.

Sri Mallesvara Swami temple
at Gubbi, I am directed
to forward herewith review-
application regd. no. 697
from the said Channappa
on the subject and to
request that the entire
Vernacular record transmitted
with the case memo regd. above
may be returned
for reference at
a very early date

I have etc.

3.1.24.

Dy) Rev. Secretary

2.1.24

List of enclosures.

Copied by

Examined by

WD 0563—GPB—2,500—27-7-22

256 3

19

Uzrai
OFFICE OF THE ~~REVENUE~~ COMMISSIONER
IN MYSORE.

967
Muz

Bangalore 8th February 1924.

Dd 25 No 473 F 23-24
one file

Muz. 120-23-5.

FROM

K. Chandy, Esq, B.A.

Revenue Commissioner in Mysore
Uzrai

To

C. V. Anantaraman, Esq, B.A.

Secretary to the Government of
His Highness the Maharaja of Mysore
Revenue Department

SIR,

In reply to your letter No. 940/Muz.120-23-4 dated 19th January 1924, I have the honour to forward herewith the papers connected with the appeal petition of Channappa Setty for the Archakship of Sri Malleswara Swami temple at Gubbi received with the Tumkur District Deputy Commissioner's letter No. I.C.702/23-4 dated 2nd February 1924.

The review petition of the appellant is also returned herewith.

I have the honour to be,

Sir,

Your most obedient servant,

K. Chandy

R. C. 4.

FROM

Revenue Commissioner in Mysore.

To

The Secretary to the Government of
H H. the Maharaja of Mysore.
Department.

Dated

Despatched

Received

General No.

Enclosure No

SUBJECT.

(6)

Before the Government of His Highness the
Maharaja of Mysore.

Muz. Appeal No. 6 of 1923-4.

Petr
~~Appellant~~. *Vs.* Cr. petr
~~Respondent~~

Channappa son of
Channamallappa, Subbi,

Siddamma wife
of Guru mallappa
(deceased).

Subject.

Review-application dy 8th Decr. 192
praying that on a re-consideration of
orders conveyed in endorsement no. 2961
dy 8-6-1923, he may be appointed
as the Sole Archak of Srii malleswara
Swami temple at Subbi.

The case was heard
on 14th April 1924;
the petr. was present
with his Adv. Mr. D. R.
Ramachandra
while the cr

GPB—1,000—8-8-11

The claimants to the puja
haks of Sri malleswara Swami
temple were channappa and
mallappa (brothers). On the
death of channappa, his
Son channamallappa - adoptive
father of the pet. - Succeeds
him. and on the death of
mallappa, his Sons Kadappa
and Gurumallappa Succeeded
him channamallappa
was doing the puja for
one year while the other
2 brothers Kadappa and
Gurumallappa - husband
of the cr. pet. Siddamma
were attending to it for
one year - It is stated
by the pet. that Kadappa
and Gurumallappa were
undivided so that
on the former's death,
the latter Succeeded
in his Share of the Pujarike

Muz. 6]

MUZRAI SECRETARIAT

(Continuation sheet draft form.)

and on the death of Sammallappa his widow Siddamma was entitled to this half Share of the pujaries hak. The pets. contention that the Dy. Comr had first passed an order in his favor and then changed it is found to be incorrect. The real fact being otherwise explained in the Dy. Comrs. letter Dy 54/1923 & the Muz. Comr. Govt see no grounds whatever modify the order already passed rejecting the appeal. The petition is accordingly dismissed.

In case 155/8

WD 0565—GPB—2000—28-7-22

The claimant [illegible]

Copy of the Insp Cmr's bills the records received with his letter no. D2 dtd no. 473 dtd 8-2-1924.

My orders
[illegible]
By Rev. Secretary

SJ
19.4.24